

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38598 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- SIKARPUR District- West Champaran

1. Rukshana Khatoon W/O Amirul Miyan Resident of Village- Jaimangalpur, P.s- Shikarpur, Dist- West Champaran , Bettiah
2. Nurjahan Khatoon W/O haroon Miyan Resident of Village- Jaimangalpur, P.s- Shikarpur, Dist- West Champaran , Bettiah
3. Haseena Khatoon W/O Anarul Miyan @ Anarul Resident of Village- Jaimangalpur, P.s- Shikarpur, Dist- West Champaran , Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Ms.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-09-2025 Heard the parties.

2. The petitioners before this Court are female in-laws of the deceased who are apprehending their arrest in connection with Shikarpur P.S. Case No. 121 of 2025, registered for the offences punishable under Sections 103(1), 238, 3(5) of the BNS.

3. Based upon the written report, it is alleged that the marriage of the daughter of the informant was solemnized with co-accused Nazarul Miyan @ Chhotu Miyan seven years back, despite sufficient dowry given at the time of marriage, she was all along subjected to demand of further dowry and torture in



various ways. On 01.02.2025, the informant was informed that his daughter was met with an accident leading to her death. When the informant along with other persons reached there, they found a head injury over the body of the daughter. Suspecting the hands of the accused persons, the present FIR came to be instituted.

4. Learned Advocate for the petitioners submitted that save and except the omnibus allegation, there is no material that the petitioners have anyhow participated in the crime. In fact on the fateful day, while the deceased had gone to attend nature call, she was met with an accident and sustained injury over her head, which proved fatal. However, only on suspicion the present FIR came to be instituted. There is no eye witness to the alleged occurrence. It is the admitted fact that the marriage was solemnised prior to seven years and as such there is no material to constitute an offence of dowry death, rather it is a case of under Section 103 of the BNS and as such some specific material is required, which is lacking in the present case.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of



the fact that the petitioners are in-laws, female members with omnibus allegation and now the husband is behind the bar, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, First Class, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 121 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

Anjani/-

U		T	
---	--	---	--

